

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN
DISTRICT OF PENNSYLVANIA

HECTOR MORALES

:

CIVIL ACTION

FILED

v.

:

DEC 19 2012

THE PUBLIC DEFENDERS OF DELAWARE
CO., et al.

:

NO. 12-6531

MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

ORDER

AND NOW, 17th this day of December, 2012, upon consideration of Plaintiff's motion to proceed in forma pauperis and his complaint, IT IS ORDERED that:

1. Leave to proceed in forma pauperis is GRANTED.

2. Plaintiff, Hector Morales, #1124592, shall pay in installments the full filing fee of \$350. Based on the financial information provided by Plaintiff, an initial partial filing fee of \$10.00 is assessed. The Warden or other appropriate official at the Curran-Fromhold Correctional Facility or at any other prison at which Plaintiff may be incarcerated is directed to deduct \$10.00 from Plaintiff's inmate trust fund account, when such funds become available, and forward that amount to the Clerk of the United States District Court for the Eastern District of Pennsylvania, 2609 U.S. Courthouse, Philadelphia, PA 19106, to be credited to Civil Action No. 12-6531. After the initial partial filing fee is collected and until the full filing fee is paid, the Warden or other appropriate official at the Curran-Fromhold Correctional Facility or at any prison at which Plaintiff may be incarcerated, shall deduct from Plaintiff's account, each time that plaintiff's inmate trust fund account exceeds \$10, an amount no greater than 20 percent of the money credited to his account

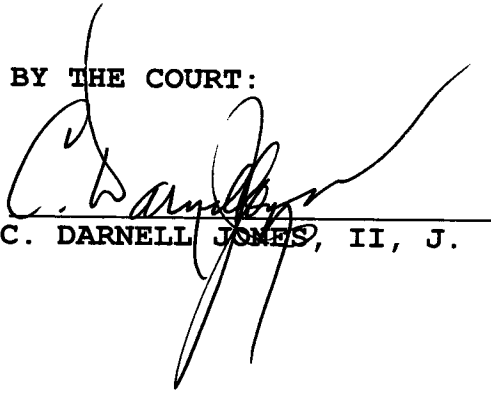
during the preceding month and forward that amount to the Clerk of Court at the address provided above to be credited to Civil Action No. 12-6531.

3. Plaintiff's complaint is DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii), for the reasons discussed in the Court's Memorandum. Plaintiff is given leave to file an amended complaint within thirty (30) days of the date of this Order in the event he can cure the deficiencies in his complaint. If he does not do so, this case will be dismissed with prejudice. Upon the filing of an amended complaint, the Clerk shall not make service until so ORDERED by the Court.

4. The Clerk of Court is directed to send a copy of this order to the Warden of the Curran-Fromhold Correctional Facility.

5. The Clerk of Court shall mark this case CLOSED for statistical purposes.

BY THE COURT:



C. DARNELL JONES, II, J.

ENTERED

DEC 19 2012

CLERK OF COURT